

REMARKS/ARGUMENT

Claims 43-48 stand objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitation of the base claim. By this amendment, Claim 12 has been amended to include the limitations of intervening Claim 14 (claim from which Claim 43 depends) and Claim 43. Remaining Claim 44-48 have been amended to depend directly, or indirectly, from Claim 12. Accordingly, Claims 12 and 44-48 stand allowable.

Claims 1-11, 13-42 and 50 have been canceled. Accordingly, the 35 U.S.C. 102(e) rejection of Claims 1, 2, 8, 10-13, 19, 20, 21, 30, 31, 32, 37, 38, 40, 41, 49 and 50 is moot. Similarly, the 35 U.S.C. 103(a) rejection of Claims 3-7, 9, 14-18, 22-29, 33-36, 39 and 42 is moot.

Applicants respectfully traverse the 35 U.S.C. 103(a) rejection of Claim 51 as being unpatentable over Lindfors et al. (US Patent 6,438,366) as applied to claim 37, in view of Bazarjani et al. (US Patent 5,982,315), as set forth below.

Claim 51 requires and positively recites a method of downconverting a first communication signal at a first frequency into a second communication signal at a second frequency that is lower than the first frequency, comprising: “sampling a plurality of phases of each of at least two consecutive cycles of the first communication signal, wherein said sampling step includes normally activating **a plurality of sampling switches** in a first temporal order to sample said plurality of phases, and providing said filter function by activating said plurality of switches in a second temporal order that differs from said first temporal order” and “combining the sampled phases to provide a filter function and produce the second communication signal”.

Applicants respectfully submit that the Examiner's conclusion that regarding the similarity of Claim 51 and FIG 7A in Bazarjani (US 5,982,315) is simply not correct. Claim 51 requires and positively recites, "wherein said sampling step includes normally activating **a plurality of sampling switches** in a first temporal order to sample said plurality of phases, and providing said filter function by activating **said plurality of switches** in a second temporal order that differs from said first temporal order." The first and second temporal order here apply to the same plurality of switches (word "said" is used) whereas in Bazarjani it applies to the different set of switches: the first set of switches belong to group 300, whereas the second set of switches belong to group 310. Each group has its own amplifier: 350a and 350b, respectively. Applicants respectfully direct the Examiner's attention to the teaching in Bazarjani (column 13, lines 62—67): "An identical circuit is provided for the second signal path which operates in the same manner as that of the first signal path, except the switches are clocked at the alternative phase of the switching clock." This distinction is significant and not recognized by the Examiner. The invention of Claim 51 provides the filtering function without the additional hardware required by Bazarjani. What ever else Lindfors discloses, it fails to teach or suggest any teaching that overcomes Bazarjani's deficiency. Accordingly, the 35 U.S.C. 103(a) rejection of Claim 51 is overcome.

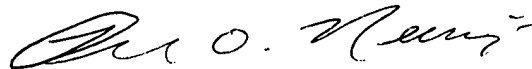
New Claims 52-57 are apparatus claims reflective of method Claims 12 and 44-48 and should similarly be allowable.

New Claim 58 is an apparatus claim reflective of the method Claim 51 and is therefore similarly allowable.

New Claims 59-70 are claims that depend directly, or indirectly, from allowable Claim 52.

Objected to Claims 43-48 (now Claims 12 and 44-48) have been rewritten in independent form to include all the limitations of and any intervening claims. Claim 13 stands allowable for depending from allowable Claim 12. Claim 51 stands allowable over the cited references. New Claims 52-57 stand allowable for being apparatus claims reflective of method Claims 12 and 44-48. New Claim 58 stands allowable for being an apparatus claim reflective of method Claim 51. New Claims 59-70 are claims that depend directly, or indirectly, from allowable Claim 52. Applicants respectfully request allowance of the application as the earliest possible date.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ron O. Neerings", is positioned above the typed name.

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AMENDMENTS TO THE DRAWINGS:

Pursuant to the Examiner's request, Applicants propose amending the term "LAN" associated with reference numeral 18 to instead be "LNA". A copy of amended Figure 7 is included herewith. Applicants respectfully request approval.

